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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: *[Signature]*

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury **08 CR 1412 L**

| | | |
|---------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA, |) | Criminal Case No. _____ |
| |) | |
| Plaintiff, |) | <u>I N D I C T M E N T</u> |
| |) | |
| v. |) | Title 8, U.S.C., Secs. 1326(a) |
| |) | and (b) - Deported Alien Found |
| ELIODORO ZAPATA-HERRERA, |) | in the United States |
| |) | |
| Defendant. |) | |
| _____ |) | |

The grand jury charges:

On or about February 23, 2008, within the Southern District of California, defendant ELIODORO ZAPATA-HERRERA, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Sections 1326(a) and (b).

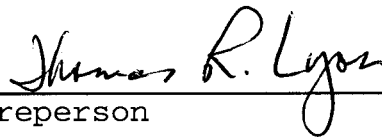
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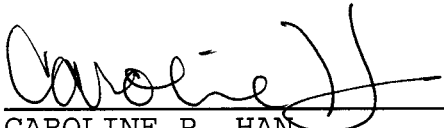
1 It is further alleged that defendant ELIODORO ZAPATA-HERRERA was
2 removed from the United States subsequent to November 19, 2003.

3 DATED: May 1, 2008.

4 A TRUE BILL:

5
6 
7 Foreperson

8 KAREN P. HEWITT
9 United States Attorney

10 By: 
11 CAROLINE P. HAN
12 Assistant U.S. Attorney
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